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Attorneys for Plaintiff  
MAXIMO RIVERA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MAXIMO RIVERA, an individual,  
  
Plaintiff,  
  
vs.  
  
CITY OF SAN PABLO, et al,  
  
Defendants.

**Case No.: 3:15-cv-01500-MEJ (JSC)**

**STIPULATION AND ~~[PROPOSED]~~  
ORDER DISMISSING ENTIRE ACTION  
WITH PREJUDICE**

Plaintiff MAXIMO RIVERA ("RIVERA") and Defendants CITY OF SAN PABLO,  
OFFICER BRIAN MURPHY and SERGEANT BRIAN BUBAR hereby stipulate by and

1 through their undersigned counsel of record to the following:

2 WHEREAS, this case settled on October 15, 2015, contingent on the Medicare  
3 Lien either being satisfied from the settlement proceeds or waived.

4 WHEREAS, by notice dated April 21, 2016 Medicare waived its lien.

5 WHEREAS, the Settlement Agreement provides that within five days of  
6 receiving the settlement check, plaintiff's counsel will authorize the filing of a Stipulation  
7 and Proposed Order dismissing the entire action with prejudice, each party to bear  
8 their own fees and costs.

9 WHEREAS, the plaintiff's counsel received the settlement check on May 11,  
10 2016.

11 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

12 Dated: June 2, 2016

**LAW OFFICES OF JOHN BURRIS**

13 By: /s/ DeWitt Lacy, Esq.  
14 DeWITT LACY, ESQ.  
15 Attorneys for Plaintiff MAXIMO RIVERA

16 Dated: June 2, 2016

**LEONE & ALBERTS**

17 By: /s/ Claudia Leed, Esq.  
18 LOUIS A. LEONE, ESQ.  
19 CLAUDIA LEED, ESQ.  
20 Attorneys for Defendants CITY OF SAN PABLO,  
21 OFFICER BRIAN MURPHY and SERGEANT  
22 BRIAN BUBAR

**~~PROPOSED~~ ORDER**

23 Pursuant to the stipulation of the parties, and good cause appearing, the Court  
24 hereby dismisses this entire action with prejudice.

25 **IT IS HEREBY ORDERED.**

26 Dated: June 2, 2016

27   
28 HON. MARIA ELENA JAMES  
UNITED STATES MAGISTRATE JUDGE